

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

In Re: Shafer Brothers Construction, Inc.

Bk. No.: 14-00017

Debtor

**MOTION TO SELL PERSONAL PROPERTY BY AUCTION
PURSUANT TO 11. U.S.C. §363, AND TO PAY PACCAR
THE AMOUNT OF ITS SECURED DEBT FROM THE
AUCTION PROCEEDS, AND PAY REASONABLE COSTS**

Comes now Thomas H. Fluharty, Trustee in the above styled matter, and applies to the Court for authority to sell certain personal property owned by the debtor, by auction.

I

Debtor, Shafer Brothers Construction, Inc., is the owner of a 2007 Peterbilt 378 water truck, a 1996 Mack truck and a 1996 Stou trailer. The 2007 Peterbilt is encumbered by PACCAR Financial Corp., who filed a proof of claim evidencing a balance of \$6,843.75 at filing. The creditor will be paid from the proceeds of the auction. The 2007 Peterbilt will only be sold if a sufficient amount is received to satisfy the secured debt in full, plus the anticipated costs of auction.

II

The Trustee is filing an application to employ IronPlanet, Inc., to conduct the sale.

III

IronPlanet, Inc., will auction said property on March 12, 2015, or as soon thereafter as practical. A separate and subsequent motion will be filed to approve costs and fees.

IV

The Trustee recommends that the Court authorize the auction sale of said property as the best way to liquidate said property and to achieve the best possible sales price.

WHEREFORE, the Trustee prays that this Court authorize the Trustee to conduct an auction by his proposed auctioneer on March 12, 2015 or as soon thereafter as is practical, that he be authorized to execute Bills of Sale conveying property to purchasers, that he be authorized to pay any reasonable costs, that he be authorized to pay PACCAR its secured debt and that he be granted such other and further relief as is just and proper.

Dated this 11th day of February, 2015.

/s/ Thomas H. Fluharty
Thomas H. Fluharty, Trustee
WV Bar No.: 1231
408 Lee Ave
Clarksburg, WV 26301
(304) 624-7832

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **MOTION TO SELL PERSONAL PROPERTY BY AUCTION PURSUANT TO 11 U.S.C. §363, AND TO PAY PACCAR THE AMOUNT OF ITS SECURED DEBT FROM THE AUCTION PROCEEDS, AND PAY REASONABLE COSTS** was served upon the following individuals at the addresses listed below, by placing a true and correct copy thereof in the United States mail, postage prepaid, on the 12th day of February, 2015.

IronPlanet, Inc.
3825 Hopyard Road, Ste 250
Pleasanton, CA

PACCAR Financial Corp.
Attn: Linda Markle
P.O. Box 1518
Bellevue, WA 98009

Served electronically on:

Todd Johnson, Esquire
johnsonlawoffice@gmail.com

Counsel for Debtor

Office of the Assistant U.S. Trustee
ustpreion04.ct.ecf@usdoj.gov

/s/ Thomas H. Fluharty
Thomas H. Fluharty, Trustee